

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

KILTER INDUSTRIES, INC.,

Plaintiff,

-v-

AVON PRODUCTS, INC. and PETER
WAXMAN,

Defendants.

No. 09 Civ. 3490 (RJS)
ORDER

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DATE FILED: 3/16/10

RICHARD J. SULLIVAN, District Judge:

The Court is in receipt of Plaintiff's March 16, 2010 letter, which requests a ninety-day extension of the discovery deadlines set forth in the Court's December 11, 2009 Order. The letter notes (1) that Defendants will not file an Answer unless and until their pending motion to dismiss is denied; (2) that, absent an Answer, Plaintiff will "not know whether Defendants admit or deny Kilter's allegations, what affirmative defenses Defendants intend to assert against Kilter's claims, and whether Defendants intend to assert any counterclaims against Kilter"; and (3) that "[w]ithout notice of Defendants' defenses, [Plaintiff] cannot fully prepare [its] witnesses for depositions." In light of this concern, IT IS HEREBY ORDERED THAT discovery shall be stayed pending the Court's resolution of Defendants' motion to dismiss. The remaining deadlines set forth in the Court's December 11, 2009 Order — including the date for the post-discovery conference — are therefore adjourned.

SO ORDERED.

Dated: March 16, 2010
New York, New York



RICHARD J. SULLIVAN
UNITED STATES DISTRICT JUDGE